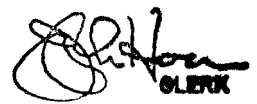


UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA

**FILED**

MAY 13 2008

  
CLERK

CENTRAL DIVISION

\*\*\*\*\*

UNITED STATES OF AMERICA,	*	
	*	CR. 07-30109
Plaintiff,	*	
	*	
-VS-	*	REPORT AND RECOMMENDATION
	*	FOR DISPOSITION OF DEFENDANT'S
TYRONE L. TOOLS, JR.,	*	MOTION TO SUPPRESS STATEMENTS
	*	
Defendant.	*	
	*	

\*\*\*\*\*

Defendant, Tyrone L. Tools, Jr., has filed a Motion to Suppress Statements, Docket No. 14. Because Defendant's Motion is a dispositive one, this Court is only authorized to determine the same on a report and recommendation basis. See 28 U.S.C. §636(b)(1). Based on the findings, authorities and legal discussion made on the record at the May 12, 2008 hearing, the Court hereby

RECOMMENDS that Defendant's Motion be denied in all respects.

Dated this 13<sup>th</sup> day of May, 2008, at Pierre, South Dakota.

BY THE COURT:



MARK A. MORENO  
UNITED STATES MAGISTRATE JUDGE

ATTEST:

JOSEPH HAAS, CLERK

BY:   
Deputy

(SEAL)

**NOTICE**

**Failure to file written objections to the within and foregoing Report and Recommendations for Disposition within ten (10) days from the date of service shall bar an aggrieved party from attacking such Report and Recommendations before the assigned United States District Judge. See 28 U.S.C. § 636(b)(1).**